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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ERIC EDWARDS, Individually and on  
Behalf of All Other Persons Similarly  
Situating,

Plaintiff,

-v-

THE DEPARTMENT OF CORRECTIONS OF THE  
CITY OF NEW YORK and THE CITY OF NEW  
YORK,

Defendant.  
-----X

08 Civ. 3134 (DLC)

ORDER

DENISE COTE, District Judge:

Having reviewed the parties' submissions in connection with the defendant's motion to dismiss, filed on June 13, 2008, it is hereby

ORDERED that the motion to dismiss is granted insofar as it seeks dismissal of all claims against the Department of Corrections of the City of New York, and is denied in all other respects.

IT IS FURTHER ORDERED that the June 23, 2008 scheduling order is vacated.

IT IS FURTHER ORDERED that all fact discovery in this action must be completed by **December 19, 2008**.

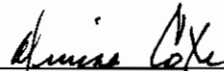
IT IS FURTHER ORDERED that any motion for summary judgment in this action must be made on or before **January 30, 2009**; any

opposition must be filed by **February 20, 2009**; any reply must be filed by **March 6, 2009**.

IT IS FURTHER ORDERED that at the time any reply is served the moving party shall supply two courtesy copies of all motion papers to Chambers by delivering them to the Courthouse Mailroom, 8th Floor, United States Courthouse, 500 Pearl Street, New York, New York.

SO ORDERED:

Dated: New York, New York  
August 6, 2008

  
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DENISE COTE  
United States District Judge